

January 9, 2022

Dear Montgomery County Councilmembers,

While the intent behind the proposed vaccine passport is admirable, we as a county and as a nation are woefully beyond such measures. Montgomery County achieved one of the highest vaccination rates in the country before the rise of the omicron variant, and *still*, the virus got through. It's spread among the unvaccinated as well as the vaccinated-and-boosted, and it's already spread among workers this county needs to maintain basic standards of living—workers we once called “essential” but have treated as anything but.

Prior to this proposal, some local businesses already took it upon themselves to request proof of vaccination before granting entry or services, so the ad hoc approach to vaccine passports in the proposed regulation isn't even a novel form of protection. The County's proposal to exempt “pharmacies, medical offices, urgent care centers, and hospitals” and government offices or facilities providing public services from vaccine entry requirements also appears out of line with protecting workers that provide some of our most essential services. Furthermore, the other examples of vaccine passport programs included as part of this proposed regulation provide no evidence that vaccine passports, as implemented, provide much benefit beyond potentially containing the spread of Covid-19—which, again, has already happened.

As proposed, the use of CDC vaccination cards as appropriate documentation, while likely the most accessible and cost-effective option, makes the entire vaccine passport program highly susceptible to fraud, as text documents and digital photos are exceedingly easy to fake. Asking frontline employees to determine the validity of vaccination documents is not only unfair and impractical, but also perpetuates risks to their personal safety from noncompliant citizens, as such workers have already experienced for nearly two years since the start of the pandemic.

There do not appear to be any provisions for real incentives to comply or penalties for violating the regulation. Like Montgomery County's ongoing mask mandate, which persists on individual goodwill as much as self-preservation, the inconvenience and burden lay squarely on those who comply and not those that resist.

The citizens of Montgomery County need real protections based on real needs and not more lip service in the guise of public health.

- Please focus efforts to reduce or prevent transmission of Covid-19 on the subset of “covered establishments” listed in the proposed regulation as well as widely attended activities that are prone to super-spreader events, such as contact sports and widely attended conventions, where adequate mitigation (outdoor ventilation, proper masking, capacity limits, social distancing, etc) are either not possible or not being utilized.
- Please enact measures that incentivize business owners to temporarily close or reduce services when the safety of employees and patrons cannot be ensured.

- Please provide financial and material assistance to families to effectively isolate or quarantine for up to 10 days following a Covid positive test result and to individuals for a period of unemployment due to a Covid-related temporary business closure or reduction in service.
- Please enable on-demand virtual learning options so students with symptoms of illness, Covid or otherwise (per MCPS guidelines), are not penalized for recovering at home.
- Please enforce existing and future mandates and institute fines or other penalties to discourage and prevent violative behavior, and not just punish non-compliance in retrospect.
- Please enact sensible emergency measures to limit non-essential travel/activities during periods of high viral transmission and/or when key sectors, such as hospitals and emergency fire and rescue services, are operating under crisis conditions.

Montgomery County has the capacity to exemplify effective and humane measures to contain viral transmission and help bring an end to the Covid-19 pandemic. It is not enough to merely copy the muddy paths others have tread before.

Sincerely,
Karin Lee